

# ATTACHMENT 10-1

## Section 6.02: Major Site Plan (Current)

(...)

### (G) Guarantee of Improvements

All required bondable improvements shall require the posting of a performance bond under the following requirements:

- (1) The applicant shall post a performance bond for Major Site Plan approval in an amount estimated as sufficient to secure to Williamson County and/or utility districts the satisfactory construction, installation, and dedication of the uncompleted portion of improvements required in accordance with this Ordinance. The performance bond and maintenance bond can be secured by a letter of credit, or a certified check from an approved financial institution.
- (2) Such performance bond shall comply with all statutory requirements and shall be satisfactory as to form, sufficiency, and manner of execution as set forth in this Ordinance. The period within which required improvements must be completed shall be specified by the Planning Commission and incorporated in the bond. The performance period (i.e., the period before going on a maintenance bond) shall be one year.
  - a) The Planning Commission may extend the completion date set forth in the bond for a period of one more year.
  - b) Any extension of the performance period may necessitate an increase in the bond amount.
- (3) Creation of Maintenance Bond
  - a) Following completion of the performance period, a maintenance bond shall be required. The maintenance bond shall be reviewed as it progresses at least once a year by the Planning Commission.
  - b) The maintenance bond shall be effective for a minimum of two years.
  - c) The Planning Commission may extend the timeframe of the maintenance bond for successive terms of one year.
- (4) Failure to Complete Improvements
  - a) Where a performance bond or maintenance bond has been posted and required improvements have not been installed or maintained within the terms of the applicable bond, the Williamson County Planning Commission may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.
  - b) Further, the Williamson County Planning Commission shall notify the Building Codes Director that the performance or maintenance bond for the subject site is in default and request that no additional building permits be issued for remaining lots in the subject site. The Planning Commission shall also issue a notice that the subject site is in default. Said notice shall be recorded in the Registers Office of Williamson County, Tennessee. In the event the subject site is thereafter found not to be in default for any reason, prompt notice shall be

# ATTACHMENT 10-1

given to the Building Codes Director and recorded in the Registers Office of Williamson County, Tennessee.

## Section 6.02: Major Site Plan (Proposed)

(changes noted in red)

(...)

### (G) Guarantee of Improvements

All bondable improvements shall require the execution of performance and maintenance agreements and supporting surety in accordance with the requirements of Section 16.07 herein.

All required bondable improvements shall require the posting of a performance bond under the following requirements:

- (2) — The applicant shall post a performance bond for Major Site Plan approval in an amount estimated as sufficient to secure to Williamson County and/or utility districts the satisfactory construction, installation, and dedication of the uncompleted portion of improvements required in accordance with this Ordinance. The performance bond and maintenance bond can be secured by a letter of credit, or a certified check from an approved financial institution.
- (2) — Such performance bond shall comply with all statutory requirements and shall be satisfactory as to form, sufficiency, and manner of execution as set forth in this Ordinance. The period within which required improvements must be completed shall be specified by the Planning Commission and incorporated in the bond. The performance period (i.e., the period before going on a maintenance bond) shall be one year.
  - a) — The Planning Commission may extend the completion date set forth in the bond for a period of one more year.
  - b) — Any extension of the performance period may necessitate an increase in the bond amount.
- (3) — Creation of Maintenance Bond
  - a) — Following completion of the performance period, a maintenance bond shall be required. The maintenance bond shall be reviewed as it progresses at least once a year by the Planning Commission.
  - b) — The maintenance bond shall be effective for a minimum of two years.
  - c) — The Planning Commission may extend the timeframe of the maintenance bond for successive terms of one year.
- (4) — Failure to Complete Improvements
  - a) — Where a performance bond or maintenance bond has been posted and required improvements have not been installed or maintained within the terms of the applicable bond, the Williamson County Planning Commission may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

# ATTACHMENT 10-1

- b) — Further, the Williamson County Planning Commission shall notify the Building Codes Director that the performance or maintenance bond for the subject site is in default and request that no additional building permits be issued for remaining lots in the subject site. The Planning Commission shall also issue a notice that the subject site is in default. Said notice shall be recorded in the Registers Office of Williamson County, Tennessee. In the event the subject site is thereafter found not to be in default for any reason, prompt notice shall be given to the Building Codes Director and recorded in the Registers Office of Williamson County, Tennessee.